



Order Filed on October 12, 2018  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

**Marie-Ann Greenberg MAG-1284  
Marie-Ann Greenberg, Standing Trustee  
30 TWO BRIDGES ROAD  
SUITE 330  
FAIRFIELD, NJ 07004-1550  
973-227-2840  
Chapter 13 Standing Trustee**

**Case No.: 18-24294**

**Hearing Date: 10/03/2018**

**Judge: ROSEMARY GAMBARDELLA**

IN RE:  
THOMAS J. AUSTIN  
JANETTE AUSTIN

**ORDER DENYING CONFIRMATION AND DISMISSING PETITION**

The relief set forth on the following pages, numbered two (2) is hereby ORDERED.

**DATED: October 12, 2018**

  
\_\_\_\_\_  
Honorable Rosemary Gambardella  
United States Bankruptcy Judge

Debtor(s): THOMAS J. AUSTIN

JANETTE AUSTIN

Case No.: 18-24294RG

Caption of Order: Order Denying Confirmation and Dismissing Petition

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THIS MATTER having come before the Court on 10/03/2018 for a Confirmation Hearing of the Debtor(s)' Chapter 13 Plan, and the Court having considered the Chapter 13 Standing Trustee's report and good and sufficient cause having been shown, it is hereby

ORDERED AND DIRECTED, that the Confirmation of Debtor(s)' Chapter 13 Plan is hereby denied; and it is further

ORDERED AND DIRECTED, that the Debtor(s)' Voluntary Petition for Relief under Chapter 13 and all proceedings thereunder be and they hereby are dismissed without prejudice; and it is further

ORDERED AND DIRECTED, that upon case dismissal any funds held by the Chapter 13 Standing Trustee from payments made on account of Debtor(s)' Plan, shall be disbursed to the Debtor(s), less any applicable Trustee fees and commissions, except any adequate protection payments due under the proposed plan or by Court Order, and/or any counsel fees and costs hereby allowed as an Administrative Expense.

Pursuant to 11 U.S.C. Sec. 349(b) this Court, for cause, retains jurisdiction over any additional application filed within 30 days by any administrative claimants for funds on hand with the Chapter 13 Trustee.

**Certificate of Notice Page 3 of 3**  
United States Bankruptcy Court  
District of New Jersey

In re:  
Thomas J. Austin  
Janette Austin  
Debtors

Case No. 18-24294-RG  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Oct 16, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 18, 2018.

db/jdb +Thomas J. Austin, Janette Austin, 48 Hillside Avenue, Caldwell11, NJ 07006-5206

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Oct 18, 2018

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 16, 2018 at the address(es) listed below:

Charles G. Wohlrab on behalf of Creditor WELLS FARGO BANK, N.A. cwohlrab@logs.com,  
njbankruptcynotifications@logs.com

Denise E. Carlon on behalf of Creditor Toyota Lease Trust dcarlon@kmlawgroup.com,  
bkgroup@kmlawgroup.com

Evelyn D. Latse on behalf of Joint Debtor Janette Austin edlatse@yahoo.com

Evelyn D. Latse on behalf of Debtor Thomas J. Austin edlatse@yahoo.com

Kevin Gordon McDonald on behalf of Creditor Toyota Lease Trust kmcdonald@kmlawgroup.com,  
bkgroup@kmlawgroup.com

Marie-Ann Greenberg magecf@magtrustee.com

Nicholas V. Rogers on behalf of Creditor WELLS FARGO BANK, N.A. nj.bkecf@fedphe.com

U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8